

**IDAHO LICENSING BOARD OF PROFESSIONAL COUNSELORS AND
MARRIAGE AND FAMILY THERAPISTS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063**

Board Meeting Minutes of 10/24/2019

BOARD MEMBERS PRESENT: Dennis M Baughman, LCPC - Chair
Regina R Moro, LPC
Sandra Sweesy
Spencer Zitzman, LMFT
Steven I Lanzet, LCPC, LMFT
Tami S Kammer, LMFT, LCPC

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Rob McQuade, Legal Counsel
Joan Callahan, Naylor & Hales
Pam Rebolo, Board Specialist

OTHERS PRESENT: Alex Duncan, Treasure Wellness
Leshia Brandt, Treasure Wellness
Nolan Fellows, Treasure Wellness
Heather Tustison, Treasure Wellness
Myia Day, Treasure Wellness
Darla Trent, Idaho Counseling Association
Brian Smith, Idaho Counseling Association
Jessica Henderson, Idaho Counseling Association
Stephanie Alvarez, Idaho Association for Spiritual,
Ethical, and Religious Values in Counseling
Caitlin Goicechea, Idaho Mental Health Counselors
Association
Jillian Winters, Idaho Mental Health Counselors
Association
Gemma Utting, Idaho Association for Marriage and
Family Therapy
Beronica Salazar, Northwest Nazarene University

The meeting was called to order at 9:00 AM MDT by Dennis M Baughman, LCPC.

APPROVAL OF MINUTES

Ms. Kammer made a motion to approve the minutes of 7/25/19, as amended. It was seconded by Mr. Lanzet. Motion carried.

Mr. Lanzet made a motion to approve the minutes of 9/25/19. It was seconded by Ms. Kammer. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Mr. Lanzet made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Moro. The vote was: Ms. Sweesy, aye; Ms. Kammer, aye; Mr. Lanzet, aye; Ms. Moro, aye; Mr. Zitzman, aye; and Mr. Baughman, aye. Motion carried.

Mr. Lanzet made a motion to come out of executive session. It was seconded by Ms. Moro. Motion carried.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number COU-2020-2. Ms. Kammer made a motion to close case number COU-2020-2 pending the receipt of the complete informed consent document from the respondent. It was seconded by Mr. Lanzet. Motion carried.

FOR BOARD DETERMINATION

Ms. Moro made a motion to approve the Bureau's recommendation and authorize closure in case number I-COU-2019-6 with an advisory letter. It was seconded by Mr. Lanzet. Motion carried.

Ms. Moro made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-COU-2019-10 and I-COU-2020-8. It was seconded by Mr. Lanzet. Motion carried.

Ms. Moro made a motion to allow the supervisor in case number COU-2015-3 provide quarterly reports instead of bimonthly reports. It was seconded by Ms. Sweesy. Motion carried.

Mr. Lanzet made a motion to terminate from probation in case number COU-2018-1. It was seconded by Ms. Sweesy. Motion carried.

Mr. Lanzet made a motion to deny the request for release from probation in case number COU-2017-6 and to continue unsupervised probation until the costs are paid in full with receipt of submission of a proposed payment plan to the Board. It was seconded by Mr. Zitzman. Motion carried.

Ms. Kammer made a motion to accept the Findings of Fact, Conclusions of Law and Final Order in case number COU-2020-1 and authorize the Board chair to sign. It was seconded by Ms. Sweesy. Motion carried.

LEGISLATIVE REPORT

Ms. Packer presented a legislative update. She explained the changes which will be made to the Board's applications and website for applicants who are active duty military, veterans, and their spouses as a result of H248 being signed into law. She updated the Board on the status of its administrative rules and the procedure by which those will remain in effect after June 30.

Mr. McQuade updated the Board on the Red Tape Reduction Act and the Bureau's process to review each Board's rules over the next two years.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$97,650.97 as of 9/30/19.

BOARD MEETING PROCEDURES TRAINING

Mr. Crema presented training regarding role of the Board.

OLD BUSINESS

The Board reviewed the To Do List. No action was taken.

IMPAIRED PROFESSIONALS

Mr. Lanzet explained the process of a diversion program versus being disciplined. He stated the Board believes that a diversion program would be better and still protect the public. Mr. Baughman explained that the Board would like to work with the associations to come up with criteria for a diversion program. Ms. Moro stated that a diversion program can also be used to educate students enrolled in counseling programs. Some of the concerns from the associations were issues of liability. Mr. Baughman stated that liability would fall on the associations and not the Board. Jillian Winters from Idaho Mental Health Counselors Association and Gemma Utting from the Idaho Association for Marriage and Family Therapy volunteered to work with the Board. Ms. Kammer made a motion to have Board members Mr. Lanzet and Ms. Moro work with the associations to come up with a diversion program. It was seconded by Ms. Moro. Motion carried.

INFORMED CONSENT

Mr. Baughman discussed Rule 525 regarding informed consent and explained that the investigative process shows that the majority of the time the informed consent is incomplete. Mr. Smith from the Idaho Counseling Association asked where this form would be located. The Bureau stated that the form would become a Board form and placed on the Board's website. Mr. Baughman asked if the associations could put together an informed consent form and present it at the next Board meeting. Mr. Lanzet made a motion for Ms. Sweesy and Mr. Zitzman to act as liaisons from the Board to work with the associations. It was seconded by Ms. Moro. Motion carried.

NEW BUSINESS

CONFERENCE UPDATES AND ATTENDANCE

Ms. Kamer and Mr. Zitzman attended the annual conference of the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) in conjunction with the Council on Licensure Enforcement & Regulations (CLEAR) in Minneapolis. Topics of discussion were portability and reviewing minimum competency trends for portability.

Mr. Zitzman discussed the CLEAR conference. Topics of discussion were ethics exams for both initial licensees and renewals. Also discussed was the topic of reducing barriers for portability and endorsement applicants. Mr. Zitzman also attended the AMFTRB conference. Mr. Zitzman stated one other topic of discussion was the increasing use of social media when applicants are applying for licensure.

Mr. Lanzet attended the American Association of State Counseling Boards (AASCB) annual conference in Washington D.C. Mr. Lanzet stated that AASCB is now affiliated with the National Board for Certified Counselors (NBCC). Topics of discussion were telehealth, animal assisted therapy, and association members volunteering for organizations such as the Red Cross. Also discussed was the interference from outside groups to change licensing regulations to become more conservative.

Ms. Sweesy made a motion to have Ms. Kammer and Mr. Lanzet work with the associations regarding potential rule changes for portability. It was seconded by Ms. Moro. Motion carried.

Ms. Sweesy made a motion to have two Board members to speak at the Idaho Counseling Association conference on November 8 at 7 a.m. in Boise. It was seconded by Ms. Moro. Motion carried.

FREQUENTLY ASKED QUESTIONS

The Board discussed adding a frequently asked question to the Board's website regarding life coaching versus counseling. Ms. Moro will research information and forward the information to the Board Specialist.

REQUEST FOR ACCOMMODATIONS

The Board reviewed the contract with the National Board for Certified Counselors (NBCC) regarding applicant's request for exam accommodations. The contract states that the Board is to approve accommodations. Mr. Lanzet made a motion to have the Board chair approve accommodations between meetings. It was seconded by Ms. Moro. Motion carried.

CONTINUING EDUCATION WORKSHOP APPLICATION FEE

The Board discussed adding an application fee for workshop providers requesting approval to conduct continuing education workshops. Mr. Crema stated this would need a rule change. The Board suggested that the current application form be modified to allow frequent workshop providers submit an application to be placed on the Board's recurring list that is currently on the Board's website.

CORRESPONDENCE

The Board reviewed correspondence from Lori Lodge regarding rule changes. Ms. Callahan explained each area addressed by Ms. Lodge. Mr. Lanzet made a motion directing Ms. Callahan to respond with a letter and have the Board chair review. It was seconded by Ms. Sweesy. Motion carried. Mr. Lanzet withdrew his first motion and made a motion to have Ms. Callahan respond as discussed and have the Board chair approve the letter. It was seconded by Ms. Sweesy. Motion carried.

The Board reviewed correspondence from Colette Carter regarding supervision hours. The Board will respond with a letter directing Ms. Carter to the Board's rules regarding supervision.

The Board reviewed correspondence from Gemma Utting thanking the Board as they addressed the subjects of impaired professionals and informed consent. Ms. Utting also addressed concern of when the public should arrive for Board meetings. No action was taken.

The Board reviewed correspondence from Sarah Harris regarding life coaches. The Board directed the Board's legal counsel to respond with a letter.

The Board reviewed correspondence from Marika Joubert regarding supervision under Rule 225. Ms. Kammer made a motion to have the Board's legal counsel draft a letter to be reviewed by the Board chair. It was seconded by Mr. Zitzman. Motion carried.

The Board reviewed correspondence from Dawn Gallagher requesting written confirmation and interpretation of Rule 225.02 (b). Mr. Zitzman made a motion to direct the Board's legal counsel to respond with a letter reiterating Rule 225 and to have the letter reviewed by the Board chair. It was seconded by Ms. Moro. Motion carried.

The Board reviewed correspondence from Jillian Winters regarding changes in Rule 425. The Board will respond with a letter citing the reasons for the rule change.

EXECUTIVE SESSION

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Ms. Kammer made a motion to come out of executive session. It was seconded by Ms. Moro. Motion carried.

ADJOURNMENT

Ms. Moro made a motion to adjourn the meeting at 4:42 PM MDT. It was seconded by Mr. Zitzman. Motion carried.

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EXECUTIVE SESSION

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Ms. Moro made a motion to come out of executive session. It was seconded by Mr. Lanzet. Motion carried.

APPLICATIONS

Mr. Lanzet made a motion to approve the following for licensure:

ALBRIGHT ASHLEY MARIA	LPC-7523
BIRD-VOGEL MELISSA	LAMFT-7490
CORNELL DANIEL SCOTT	LPC-7514
GOODRICH TANYA	LMFT-7452
GUTENBERGER ANGELIKA H	LPC-7456
HAGGAN-GALLOWAY LACEY	LMFT-7191
HUNTER JAMIE LEE	LCPC-7131
LANGLEY DANIELLE DOMINQUE	LPC-7535
LEVERING JILL JACQUELINE	LAMFT-7533
MILLER LORI	LCPC-7534
NELSON LYNAE	LCPC-7398
WALDEN DORINDA SUZANNE	LPC-7190
WERTH BRITTNEY JOSEPHS	LCPC-7537
YAGANEH NATASHA	LCPC-7524

It was seconded by Mr. Zitzman. Motion carried.

Mr. Lanzet made a motion to table the following pending receipt of additional information:

901157277
901152949
901147167
901166952

It was seconded by Ms. Sweesy. Motion carried.

Mr. Lanzet made a motion to approve the following pending receipt of additional information and review by a Board member or the chair:

901169977
901165980
901170471
901161148
901170009
901133531
901160203
901169951
901166980
901144801
901152580

It was seconded by Ms. Moro. Motion carried.

Ms. Moro made a motion to have Ms. Kammer and Mr. Zitzman call the following applicant regarding pending information:

901165979

It was seconded by Ms. Kammer. Motion carried.

NEXT MEETING was scheduled for February 27 and 28, 2020; May 28 and 29, 2020; August 20 and 21, 2020; and October 22 and 23, 2020 at 9:00 AM.

ADJOURNMENT

Mr. Lanzet made a motion to adjourn the meeting at 1:55 PM MDT. It was seconded by Ms. Moro. Motion carried.

Dennis M Baughman, LCPC, Chair

Regina R Moro, LPC

Sandra Sweesy

Spencer Zitzman, LMFT

Steven I Lanzet, LCPC, LMFT

Tami S Kammer, LMFT, LCPC

Kelley Packer, Bureau Chief